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General Assembly

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United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea
Eighth meeting
25-29 June 2007

Format and annotated provisional agenda

1. Pursuant to General Assembly resolution 54/33 of 24 November 1999, which established the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (the "Consultative Process"), the two Co-Chairpersons appointed by the President of the General Assembly shall elaborate, in consultation with delegations, a format for the discussions at the Consultative Process that best facilitates its work, in accordance with the rules of procedure and practices of the General Assembly. It is recalled that the mandate of the Consultative Process was extended by the General Assembly for an additional three years in resolution 57/141 of 12 December 2002, and for a further three-year period in resolution 60/30 of 29 November 2005.

2. On the basis of consultations with delegations and of an informal preparatory meeting held at United Nations Headquarters on 30 March 2007, the Co-Chairpersons, Lorraine Ridgeway (Canada) and Cristián Maquieira (Chile), developed a format for the discussions at the eighth meeting of the Consultative Process (see annex I) and are proposing a provisional agenda for the meeting (see annex II).

3. The areas of concentration for the discussion panel on the topic "Marine genetic resources" are presented in annex III and are intended to identify important issues that the discussion panel may wish to consider, in particular by reference to the annual report of the Secretary-General on oceans and the law of the sea (A/62/66).

4. The Consultative Process is invited to consider and adopt the provisional agenda.

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Annex I

Format for the eighth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea

Methods of work

1. Pursuant to General Assembly resolution 54/33, at its eighth meeting, the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea will work through plenary sessions and a discussion panel.

2. The plenary sessions will be open to participation by all those listed in paragraph 3 (a) of resolution 54/33. The discussion panel will also be open to participation by representatives of major groups, as identified in section III of Agenda 21 of the United Nations Conference on Environment and Development.[a]

3. Within the constraints of the available accommodation, such representatives of major groups and other observers will be free to attend the plenary sessions in accordance with established practice.

Agenda

4. At the eighth meeting, the two Co-Chairpersons will propose a draft agenda setting out a proposed programme of work for the meeting and a timetable for the plenary sessions and the discussion panel, which will be considered and adopted as appropriate.

Discussion panels

5. In its resolution 61/222 of 20 December 2006, the General Assembly decided that at the eighth meeting discussions will focus on the topic "Marine genetic resources". On the basis of consultations with delegations, the two Co-Chairpersons will propose an outline for the topic to be discussed by the panel at the eighth meeting. The Co-Chairpersons will invite a limited number of persons entitled to participate in the panel to launch the discussions by making short presentations on relevant questions.

Report of the eighth meeting

6. The report on the eighth meeting will consist of the following components:

(a) Agreed consensual elements to be suggested to the General Assembly for consideration under its agenda item entitled "Oceans and the law of the sea", focused on issues that were discussed at the meeting (see resolution 54/33, para. 3 (h));

(b) A summary of discussions by the Co-Chairpersons of issues and ideas raised at the plenary sessions and discussion panel;

(c) Issues that could benefit from attention in future work of the General Assembly on oceans and the law of the sea.

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[a] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992*, vol. I, *Resolutions adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution I, annex II.

7. The Co-Chairpersons will present draft elements at the eighth meeting. Member States will have the opportunity formally to consider and propose amendments to the draft elements, if necessary, with the aim of reaching consensus as mentioned in paragraph 6 (a) above. Prior to that, there may be an opportunity for informal discussions by Member States on the draft elements.

8. An advance version of the Co-Chairpersons' summary of discussions, as mentioned in paragraph 6 (b) above, in English only, will be posted on the website of the Division for Ocean Affairs and the Law of the Sea at www.un.org/Depts/los within three weeks of the end of the eighth meeting for delegations to comment.

9. The Co-Chairpersons will submit a final (advance and unedited) version of the report to the President of the General Assembly, incorporating such consensus as is reached on the elements to be suggested to the Assembly and reflecting the comments made on the other components mentioned in paragraphs 6 (b) and (c). In addition, that version of the report, in English only, will be posted on the website of the Division for Ocean Affairs and the Law of the Sea.

Annex II

Annotated provisional agenda for the eighth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea

Monday, 25 June 2007 **10 a.m.-1 p.m.**[a]

First plenary session

Item 1. Opening of the eighth meeting

Item 2. Adoption of the agenda

1. The Consultative Process is invited to consider and, as appropriate, to adopt the agenda for the eighth meeting. The schedule of agenda items is indicative: agenda items may be advanced, depending on the progress made in the discussions.

Item 3. General exchange of views on areas of concern and actions needed, including on issues discussed at previous meetings

2. Item 3 has been divided and is scheduled to be continued at the second plenary session. Issues discussed at previous meetings will be taken up at that time, along with any further exchanges on the area of focus and exchanges on issues other than those relating to the area of focus.

3. In this connection, it is suggested that at the first plenary session delegations limit their interventions to the topic for the eighth meeting, "Marine genetic resources". Owing to time constraints and the potential number of speakers, delegations are kindly requested to limit their interventions to no more than five minutes.

3-6 p.m.[a]

Discussion panel
Marine genetic resources

4. Based on the areas of concentration for the discussion panel set forth in annex III, it is proposed that the discussion panel segments be organized as set out below. In each segment, it is proposed to commence with panel presentations followed by discussions among delegations and panellists.

Segment 1
Understanding marine genetic resources, their vulnerability and the services they provide

(a) Panel presentations;

(b) Discussion.

[a] All meetings will commence at 10 a.m. and 3 p.m.

Tuesday, 26 June 2007 **10 a.m.-1 p.m.**[a]

Discussion panel (*continued*)

Segment 2
Understanding the activities related to marine genetic resources and other relevant aspects: experiences in collection

(a) Panel presentations;

(b) Discussion.

3-6 p.m.[a]

Segment 2
Understanding the activities related to marine genetic resources and other relevant aspects: experiences in commercialization

(a) Panel presentations;

(b) Discussion.

Wednesday, 27 June 2007 **10 a.m.-1 p.m.**[a]

Discussion panel (*continued*)

Segment 3
International cooperation and coordination on issues related to marine genetic resources: current activities at the global and regional levels

(a) Panel presentations;

(b) Discussion.

3-6 p.m.[a]

Discussion panel (*continued*)

Segment 3
International cooperation and coordination on issues related to marine genetic resources: current and future challenges

(a) Panel presentations;

(b) Discussion.

Thursday, 28 June 2007 **10 a.m.-1 p.m.**[a]

Second plenary session

Item 3. General exchange of views on areas of concern and actions needed, including on issues discussed at previous meetings (*continued*)

5. An opportunity will be provided for interventions relating to the panel discussions. In particular, key intergovernmental organizations will be invited to address possible responses to the issues raised in the panel from the point of view of their mandates and available practical tools and in the context of cooperation and coordination. Relevant non-governmental organizations may also be invited to

submit a joint statement on the possible contribution of civil society with respect to the issues raised in the panel.

6. Furthermore, States, intergovernmental organizations and non-governmental organizations may wish to identify events or meetings where issues raised by the discussion panel could be further discussed or where future work could be advanced.

7. During the consideration of item 3, an opportunity will also be provided for statements on issues other than those relating to the topic "Marine genetic resources". General Assembly resolution 54/33 provides that, consistent with the legal framework provided by the United Nations Convention on the Law of the Sea and the goals of chapter 17 of Agenda 21, the Consultative Process is to facilitate the annual review by the General Assembly, in an effective and constructive manner, of developments in ocean affairs by considering the report of the Secretary-General on oceans and the law of the sea (A/62/66) and by suggesting particular issues to be considered by it, with an emphasis on identifying areas where coordination and cooperation at the intergovernmental and inter-agency levels should be enhanced.

8. The relevant intergovernmental organizations, funds or programmes of the United Nations will be provided with an opportunity to present an update of relevant developments in relation to the topics discussed at previous meetings.

3-6 p.m.[a]

Third plenary session[b]

Item 4. Inter-agency cooperation and coordination

9. The Coordinator of the Oceans and Coastal Areas Network (UN-Oceans), the inter-agency mechanism for cooperation and coordination, will be invited to provide information on its activities, especially as they relate to marine genetic resources.

10. There will also be an update by representatives from the United Nations Environment Programme and the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization, the lead agencies, regarding the "assessment of assessments", a preparatory phase towards the establishment of the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects.

Item 5. Issues that could benefit from attention in future work of the General Assembly on oceans and the law of the sea

11. The Consultative Process will be presented with a composite streamlined list of issues that could benefit from attention in the future work of the General Assembly, prepared by the Co-Chairpersons on the basis of part C of the reports on the work of the Consultative Process from its fourth to seventh meetings (A/58/95, A/59/122, A/60/99 and A/61/156). The Co-Chairpersons will inform the Consultative Process of the additional issues that have been suggested by delegations during the eighth meeting for inclusion in the list of issues that could benefit from attention in the future work of the General Assembly.

[b] If the meeting is adjourned before 6 p.m., the remaining time will be used by the Co-Chairpersons for the preparation of the draft elements so as to enable their distribution prior to 16 June.

Friday, 29 June 2007 **10 a.m.-1 p.m.[a]**

Fourth plenary session

Item 6. Consideration of elements to be suggested to the General Assembly

12. The Consultative Process will be invited to agree by consensus upon a draft text of elements[c] to be suggested to the General Assembly for consideration under its agenda item entitled "Oceans and the law of the sea" (see format in annex I).

3-6 p.m.[a]

Fifth plenary session

Item 6. Consideration of elements to be suggested to the General Assembly (*continued*)

[c] It is planned to circulate the draft elements for possible informal discussions in advance of consideration of agenda item 6.

Annex III

Proposed areas of concentration for the discussion panel on the topic "Marine genetic resources"

1. In addition to other relevant past reports,[a] chapter X on marine genetic resources in the report of the Secretary-General on oceans and the law of the sea to the General Assembly at its sixty-second session (A/62/66, paras. 126-249), provides background information for the discussion panel on marine genetic resources.

2. The following list of issues reflects generally the outline of chapter X of the Secretary-General's report. The list is not intended to be exhaustive, but could provide a basis for an informed dialogue during the discussion panel:

(a) The nature of marine genetic resources and the status and sources of knowledge on such resources (see A/62/66, paras. 131-144);

(b) Activities related to marine genetic resources: scientific investigation of the oceans and their biological processes; bioprospecting; and exploitation of the resources (ibid., paras. 145-156);

(c) Supporting and regulating and provisioning services provided by marine genetic resources (ibid., paras. 157-168);

(d) Organisms and areas of interest (ibid., paras. 169-182);

(e) Anthropogenic stresses on marine genetic resources (ibid., paras. 183-187);

(f) Relevant international instruments related to the utilization and conservation of marine genetic resources; marine scientific research; and other relevant aspects, including the assertion of intellectual property rights and the protection and preservation of the marine environment (ibid., paras. 188-233);

(g) Current activities supporting international cooperation and coordination relating to marine genetic resources (ibid., paras. 234-249).

Discussion panel segments

3. In considering the topic, "Marine genetic resources", it is proposed that the panel concentrate its discussions on the following three areas:

(a) *Understanding marine genetic resources, their vulnerability and the services they provide*:

(i) What is a marine genetic resource?

(ii) What marine genetic resources are there? What features are they associated with? What is their distribution and vulnerability? Where can the information/data concerning marine genetic resources be found? What services/applications do marine genetic resources provide?

(b) *Understanding activities relating to marine genetic resources and other relevant aspects*:

[a] See in particular, A/59/62, A/59/122, A/60/63/Add.1 and A/61/65, available on the website of the Division for Ocean Affairs and the Law of the Sea at www.un.org/Depts/los.

(i) Experiences in collection

Perspectives of States carrying out research as well as coastal States concerning the range, nature and intensity of activities (where is the research taking place; partnerships and other arrangements; challenges; actions to ensure sustainability; what is happening with the results, etc.);

(ii) Experiences in commercialization (from industry sectors)

How are the resources being used from the point of acquisition, through to transformation, to the final product, including the expected distribution of benefits derived from the products?

(c) *International cooperation and coordination on issues related to marine genetic resources*:

(i) Current activities at the global and regional levels;

(ii) Current and future challenges:

a. Ensuring conservation and sustainable use of marine genetic resources;

b. Socio-economic aspects;

c. Capacity-building and transfer of technology;

d. Overview of other challenges, gaps in understanding and cooperation.